

REMARKS

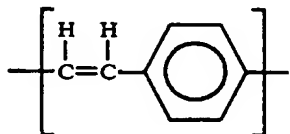
At the outset, Applicant thanks the Examiner for the thorough review and consideration of the pending application. The Office Action dated April 12, 2005 has been received and its contents carefully reviewed.

Claims 1 and 33 are hereby amended. Accordingly, claims 1, 2, and 33 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

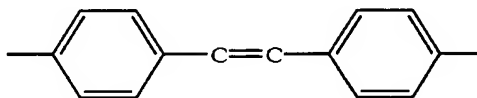
In the Office Action, the Examiner rejected claims 1, 2, and 33 under 35 U.S.C. § 102(b) as being allegedly anticipated by Yanagisawa et al. (U.S. Patent No. 5,239,398). This rejection is respectfully traversed and reconsideration is requested.

As set forth at M.P.E.P. § 2131, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. That is, the identical invention must be shown in as complete detail as is contained in the claim.

Nevertheless, the Examiner rejects claims 1 and 33, asserting that Yanagisawa et al. teaches “an alignment material (film) (col. 11, lines 20-25) with the chemical formula (4) below:

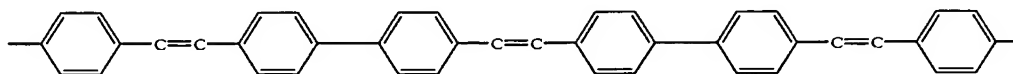


which when drawn out as two repeat units, corresponds to a polymer formed from a monomer containing the group in chemical formula 2 of Applicant below:

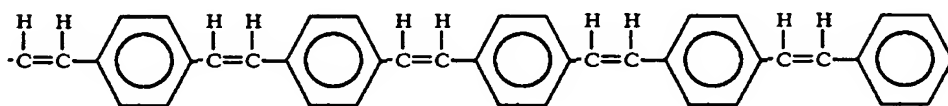


.” Applicant, however, respectfully disagrees.

Specifically, according to claims 1 and 33, when $b = c = 0$, $a = 1$. Thus, the claimed photo-alignment material is a polymer formed of the monomer A. Accordingly, when “drawn out as two repeat units,” the claimed monomer A forms a polymer having the structure:



Whereas, when the monomer of Yanagisawa et al. is “drawn out as two repeat units,” the following structure is obtained:



As is evident from the comparison shown above, chemical formula (4) of Yanagisawa et al. is not identical to the monomer recited in claims 1 and 33. Therefore, Applicant respectfully submits that Yanagisawa et al. fails to anticipate claims 1 and 33 and, consequently, requests withdrawal of the present rejection of claims 1, 2, and 33 under 35 U.S.C. § 102(b).

Applicant believes the foregoing amendments and remarks place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

Application No.: 10/630,738
Response dated July 6, 2005
Reply to Office Action dated April 12, 2005


Docket No.: 8733.444.10

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: July 6, 2005

By


Eric J. Nuss

Registration No. 40,106

McKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorneys for Applicant